

EXECUTIVE SUMMARY

Final Report: California Child and Family Services Review

The Child and Family Services Review (CFSR) assesses State performance during a specified time period on seven child welfare outcomes pertaining to safety, permanency, and well-being and on seven systemic factors. The California CFSR was conducted the week of September 23, 2002. The assessment is based on information from the following sources:

- The Statewide Assessment prepared by the State child welfare agency – the California Department of Social Services (CDSS);
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 49 cases at three sites throughout the State (one case was dropped because it did not meet requirements for an eligible case); and
- Interviews or focus groups (conducted at all three counties and the State capitol) with a wide range of stakeholders including children, parents, foster parents, various levels of State and local CDSS personnel, collaborating agency personnel, service providers, court personnel, and attorneys.

Information from the case review process and stakeholder interviews resulted in the finding that the State is effective in the following outcome-related areas:

- Timeliness of initiating investigations in response to reports of maltreatment (item 1).
- Providing services to families to prevent children’s removal from home (item 3).
- Reducing risk of harm to children (item 4).
- Placing children in close proximity to their parents or close relatives (item 11).
- Placing siblings together in foster care (item 12).
- Facilitating visitation between children in foster care and their parents and siblings (item 13).
- Locating and assessing relatives as potential placement resources (item 15).
- Supporting the parent-child relationships of children in foster care (item 16).
- Conducting caseworker visits with children (item 19).
- Meeting children’s needs for physical health services (item 22).

Despite these many strengths, the data for Federal fiscal year (FFY) 2000 reported in the State Data Profile indicate that California did not meet the national standards for the following outcome measures:

- The rate of recurrence of substantiated child maltreatment within 6 months of a prior substantiated maltreatment.
- The incidence of maltreatment of children in foster care.

- The rate of foster care re-entries within 12 months of discharge from a previous foster care episode.
- The percentage of reunifications occurring within 12 months of a child's entry into foster care.
- The percentage of finalized adoptions occurring within 24 months of a child's entry into foster care.
- The percentage of children experiencing no more than two placements during the first 12 months in foster care.

In addition, a particular area of concern is achieving timely permanency for children and the reluctance of some agencies and courts to terminate parental rights (TPR).

Based on information from the case reviews and the State Data Profile, the State did not achieve substantial conformity with any of the seven safety, permanency, and well-being outcomes. California did not achieve substantial conformity with safety outcome 1 (Children are, first and foremost, protected from abuse and neglect) primarily because (1) the incidence of maltreatment of children in foster care for FFY 2000, as reported in the State data profile (1.06%), did not meet the national standard of .57 percent or less; and (2) the rate of recurrence of substantiated child maltreatment within 6 months for FFY 2000 (10.7%) did not meet the national standard of 6.1 percent or less.

Additionally, California did not achieve substantial conformity for safety outcome 2 (Children are safely maintained in their homes whenever possible and appropriate) because case reviewers determined that the agency's risk assessment process did not always identify the underlying issues contributing to the risk of harm to children. Consequently, the services provided often were not sufficient to reduce risk of harm. In addition, stakeholders expressed concern about the ability of the child welfare agency to protect children effectively in their homes in the context of a State-imposed 12-month time limitation placed on in-home family services. It was noted that because of this time limitation, services often were terminated without regard to an assessment of change in the level of risk.

The State did not achieve substantial conformity with permanency outcome 1 (Children have permanency and stability in their living situations) because case reviews revealed that (1) many children lacked stability in their foster care placements and (2) many children experienced unnecessary delays in achieving the permanency goals of reunification and adoption. In addition, information from stakeholders and case reviews indicated that both the courts and the agency are reluctant to approve TPR petitions unless an adoptive home has been identified for the child and the prospective adoptive parents are ready to adopt. Concerns also were expressed regarding the agency practice of establishing non-relative guardianship rather than adoption as a permanency option because of the belief that families will lose access to some services (e.g., child care subsidies) or will not receive adequate financial assistance if they adopt.

Although California did not achieve substantial conformity with permanency outcome 2 (The continuity of family relationships and connections is preserved for children), five of the six items assessed for the outcome (items 11, 12, 13, 15, and 16) were rated as a Strength. The primary concern identified pertained to agency efforts to ensure that children in foster care maintained connections to extended family, friends, schools, and their heritage.

Substantial conformity with child well-being outcome 1 (Families have enhanced capacity to provide for their children's needs) was not achieved based on CFSR findings that CDSS is not consistent in assessing and meeting the service needs of children and families (item 17) or in involving parents and children in the case-planning process (item 18). In addition, although the CFSR found that caseworkers were diligent in their efforts to visit children (item 19), particularly children in foster care, caseworker visits with parents (item 20) often were not sufficiently frequent or of sufficient quality to ensure children's safety and/or promote attainment of case goals.

Although California did not achieve substantial conformity with child well-being outcome 2 (Children receive appropriate services to meet their educational needs), the general CFSR finding was that in a large percentage of cases, the agency was consistent in assessing children's educational needs and providing appropriate services to meet those needs. However, in 19 percent of the applicable cases, although educational needs were assessed, case reviewers determined that services were not provided to meet identified needs.

California also did not achieve substantial conformity with child well-being outcome 3 (Children receive adequate services to meet their physical and mental health needs). Although the CFSR found that CDSS was highly effective in meeting children's physical health needs, reviewers and stakeholders determined that the agency was not consistent in its efforts to address children's mental health needs, particularly for children in the in-home services cases. A key concern identified by stakeholders was that mental health services are not always of sufficient quality to adequately address children's mental health problems.

CFSR findings with respect to the State's performance on the systemic factors suggest that the State does not have in place many of the necessary systems to support the attainment of children's safety, permanency, and well-being. Although the State was found to be in substantial conformity with the factor of statewide information system and agency responsiveness to the community, the State was not in substantial conformity with the systemic factors related to the case review system; quality assurance system; training; service array; or foster and adoptive parent licensing, recruitment, and retention. With regard to the statewide information system, while the CFSR evaluates whether the automated system can identify the status, demographic characteristics, location, and goals of foster care children, it does not evaluate whether the State's system meets the Federal Statewide Automated Child Welfare Information System (SACWIS) functional requirements. It has yet to be determined that California meets the SACWIS functional requirements. Some specific concerns identified with regard to the systemic factors were the following:

- Parents are not being consistently involved in the case planning process.

- Terminating parental rights is not being done in accordance with the provisions of the Adoption and Safe Families Act.
- The State's existing quality assurance system does not evaluate the effectiveness of services or assess outcomes.
- There is no Statewide uniform requirement for initial training of child welfare agency staff, ongoing training focusing on staff development, or training for caregivers.
- Services are not accessible to families in all political jurisdictions.
- The approach to service children and families is not individualized and there is a lack of individualized services, particularly for youth and Native American children.
- There is a lack of coordination at the State level of services and benefits of Federal or federally assisted programs, including coordination with Tribes and Tribal organizations.
- All foster family homes are not being held to the same standards established by the State for licensure/approval.
- There are insufficient processes for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children in care.

The following is a summary of the CFSR ratings regarding specific outcomes and systemic factors.

KEY FINDINGS RELATED TO OUTCOMES

I. SAFETY

Outcome S1: Children are, first and foremost, protected from abuse and neglect.

Status of Safety Outcome S1 – Not in Substantial Conformity

California did not achieve substantial conformity for Safety Outcome 1. Although almost 90 percent of the cases reviewed were rated as having substantially achieved this item, the State did not meet the national standard for the percentage of children experiencing more than one substantiated or indicated child maltreatment report within a 6-month period, or the national standard for the percentage of children maltreated while in foster care.

With respect to maltreatment in foster care, according to the Statewide Assessment, the State's Child Welfare Services/Case Management System (CWS/CMS) does not currently capture information about child maltreatment perpetrators who are relative caregivers or group home staff. Consequently, the State's rate of maltreatment in foster care (1.06%) reflects only the incidence of child maltreatment experienced by children placed in foster family agency certified homes or in licensed foster family homes.

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Item 1 was assigned an overall rating of Strength based on the finding that in 96 percent of the applicable cases, the agency initiated an investigation of a maltreatment report in a timely manner. The rating for this item is consistent with information provided in the Statewide Assessment. According to the Statewide Assessment, county compliance review data for State Fiscal Year (SFY) 2001/2002 indicated that 90 percent of the 10 counties that completed the review process as of June 2002 were in compliance with respect to timeliness in making initial contacts following a report of child maltreatment.

Item 2. Repeat maltreatment

Item 2 was assigned an overall rating of Area Needing Improvement. Although in 91 percent of the 47 applicable cases, there was no repeat maltreatment, the State's rate of repeat maltreatment for the year 2000 reported in the State data profile (10.7%) did not meet the national standard of 6.1 percent. Because the two maltreatment recurrence indicators are assessed using different measures, it is necessary that the criteria and standards for both indicators be met for the item to be rated as a Strength.

Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.

Status of Safety Outcome S2 – Not in Substantial Conformity

California did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was substantially achieved in 85.1 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity.

Although California did not achieve substantial conformity on this outcome, a general CFSR finding was that the agency made diligent efforts to provide services to children in their own homes and to ensure that the risk of harm to children was adequately addressed in a large percentage of the cases. The case review findings and stakeholder interviews indicated that, for the most part, CDSS uses an array of services, particularly in-home services, to prevent placement and reduce risk of harm. However, stakeholders and case reviewers also noted that the risk assessment process does not always identify underlying issues that contribute to the risk of harm to the children. Consequently, the services provided do not always address all of the relevant child safety areas. In addition, stakeholders expressed concern about the time limitations the State places on in-home family services, suggesting that services should be terminated based on whether a risk of harm continues to be present, rather than on whether the State's 12-month time limitation has been reached.

Item 3. Services to family to protect child(ren) in home and prevent removal

This item was assigned an overall rating of Strength because in 89 percent of the cases, reviewers determined that the agency made diligent efforts to maintain children safely in their own homes to prevent removal or facilitate family reintegration after reunification.

The Statewide Assessment notes, however, that in California the proportion of children entering foster care following a substantiated report is greater than the national average. According to the Statewide Assessment, this suggests that greater efforts are needed to support children in their own homes.

Item 4. Risk of harm to child.

Item 4 was assigned an overall rating of Strength because in 87.2 percent of the applicable cases, reviewers determined that CDSS made diligent efforts to reduce the risk of harm to children. The key concerns identified in the case reviews pertained to risk assessments that failed to address underlying risk-related issues, such as domestic violence or mental illness, and lack of follow-up to ensure services were received.

II. PERMANENCY

Outcome P1: Children have permanency and stability in their living situations.

Status of Permanency Outcome 1 – Not in Substantial Conformity

California did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 48.0 percent of cases, which is less than the 90 percent required for an overall rating of substantial conformity.
- The State Data Profile indicated that for fiscal year 2000, the State did not meet the national standards for (1) the rate of foster care re-entries, (2) the percentage of children achieving reunification within 12 months of entry into foster care, (3) the percentage of children discharged to finalized adoptions within 24 months of entry into foster care, and (4) the percentage of children in foster care for 12 months or less who experienced no more than 2 placements.

In general, the CFSR found that CDSS was not consistent in its efforts to ensure that children have permanency and stability in their living situations. All of the indicators assessed for this outcome were assigned an overall rating of Area Needing Improvement. A key concern identified was that there were delays in achieving permanency for children through reunification and adoption. The review findings indicated that in many cases the goal of reunification is maintained for too long a period of time and the courts are reluctant to approve TPR petitions unless the agency has an adoptive home for the child. Concerns also were expressed regarding the practice of using non-relative guardianship rather than adoption as a permanency option because families will lose access to services (e.g., child care subsidies) and/or will not receive sufficient financial assistance if they adopt

Item 5. Foster care re-entries

Item 5 was assigned an overall rating of Area Needing Improvement. Despite the finding that no re-entries into foster care occurred for the cases reviewed, data from the State Data Profile indicate that California's re-entry rate for fiscal year 2000 (10.7%) does not meet the national standard of 8.6 percent or less. States must meet both the case review and the data indicators to be rated a Strength for this item.

Item 6. Stability of foster care placement

Item 6 was assigned an overall rating of Area Needing Improvement. Although 76 percent of the applicable cases were rated as a Strength for this item, in 24 percent of the applicable cases, reviewers determined that children experienced multiple placement changes that did not further attainment of their goals or their treatment needs. In addition, data from the State Data Profile indicate that the percentage of children experiencing no more than 2 placements in their first 12 months in foster care (77.8%) does not meet the national standard of 86.7 percent or more. The Statewide Assessment and stakeholders interviewed onsite attributed multiple placements primarily to children in California often being placed initially in an emergency shelter home or facility to allow the agency to make an in-depth assessment of the children's placement needs and to identify the most suitable placements. During the review of cases onsite, however, this was not the primary reason found for unnecessary moves; the changes in the cases reviewed resulted from the agency's lack of attention at the time of placement to the foster parents' ability to meet the child's needs.

Item 7. Permanency goal for child

Item 7 was assigned an overall rating of Area Needing Improvement. Although this item was rated as a Strength in 76 percent of the applicable cases, in 24 percent of these cases, reviewers determined that the agency had not established an appropriate goal for the child in a timely manner. A key finding was that the goal of reunification was being maintained for long periods of time, even when there was a lack of evidence that reunification was likely to occur.

Item 8. Reunification, Guardianship or Permanent Placement with Relatives

This item was assigned an overall rating of Area Needing Improvement. Although 81 percent of the applicable cases were rated as a Strength for this item, in 19 percent of applicable cases, reviewers determined that the agency had not made diligent efforts to attain the goals of reunification, permanent placement with relatives, or guardianship in a timely manner. In addition, data from the State Data Profile indicate that the percentage of reunifications occurring within 12 months of entry into foster care (53.2%) does not meet the national standard of 76.2 percent or more.

Item 9. Adoption

This item was assigned an overall rating of Area Needing Improvement. Although 60 percent of the applicable cases were rated as a Strength for this item, in 40 percent of the applicable cases, reviewers determined that CDSS had not made diligent efforts to achieve adoptions in a timely manner. In addition, data from the State Data Profile indicate that the percentage of finalized adoptions in FY

2000 that occurred within 24 months of the child's removal from home (18.0%) does not meet the national standard of 32.0 percent or more. According to the Statewide Assessment, although there have been significant accomplishments regarding adoptions of children in foster care, adoption is not being achieved in a timely manner. However, the Statewide Assessment also notes that significant program efforts (e.g., concurrent planning, permanency planning mediation, kin adoption, etc.) have been implemented in recent years to improve the State's capacity to achieve timely adoptions.

Item 10. Permanency goal of other planned permanent living arrangement

This item was assigned an overall rating of Area Needing Improvement. Although 50 percent of the 4 applicable cases were rated as a Strength for this item, in 50 percent of the cases, reviewers determined that the agency had not made concerted efforts to ensure permanency for children with regard to alternative living options. The key concern was that the goal of long-term foster care was established for children without adequate exploration of other possible goals, such as adoption or guardianship.

Outcome P2: The continuity of family relationships and connections is preserved for children.

Status of Permanency Outcome 2 – Not in Substantial Conformity

California did not achieve substantial conformity with Permanency Outcome 2. This determination was based on the finding that the outcome was rated as substantially achieved in 88.0 percent of the cases, which is less than the 90 percent required for substantial conformity. Although California did not achieve substantial conformity with this outcome, five out of six of the individual indicators assessed for the outcome were rated as a Strength and most of the stakeholders interviewed expressed positive opinions of the State's efforts with regard to achieving this outcome. However, taken together, the percentage of cases that were rated as having substantially achieved this outcome did not meet the required 90 percent. Key concerns identified pertained primarily to the agency's performance with regard to preserving connections for children in foster care.

Item 11. Proximity of foster care placement

Item 11 was assigned an overall rating of Strength because in 96 percent of the applicable cases, reviewers determined that CDSS made diligent efforts to ensure that children's foster care placements were in close proximity to their parents or relatives.

Item 12. Placement with siblings

This item was assigned an overall rating of Strength based on the finding that in 94 percent of the applicable cases, siblings were placed together, or their separation was deemed necessary to meet the needs of one or more of the children. According to the Statewide Assessment, placing siblings together is an agency priority unless there is documented evidence that doing so is detrimental to one of the children.

Item 13. Visiting with parents and siblings in foster care

Item 13 was assigned an overall rating of Strength because in 90 percent of the applicable cases, reviewers determined that CDSS had made concerted efforts to facilitate visitation, particularly among siblings in foster care. According to the Statewide Assessment, a CDSS mail survey of California's county child welfare agencies and juvenile probation departments revealed that most respondents arrange for visitation between children and their parents, siblings, and grandparents.

Item 14. Preserving connections

Item 14 was assigned an overall rating of Area Needing Improvement. Although the item was rated as a Strength in 84 percent of the applicable cases, reviewers determined that in 16 percent of the applicable cases, the agency had not made diligent efforts to preserve children's connections to community, heritage, faith, and friends.

Item 15. Relative placement

This item was assigned an overall rating of Strength because in 88 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to locate and assess relatives as potential placement resources. The Statewide Assessment also notes that California places children with relatives at a higher rate than any other placement option.

Item 16. Relationship of child in care with parents

Item 16 was assigned an overall rating of Strength because reviewers determined that in 90 percent of applicable cases, the agency provided adequate services to support the parent-child relationships of children in foster care.

III. WELL-BEING

Outcome WB1: Families have enhanced capacity to provide for their children's needs.

Status of Well-Being Outcome 1 – Not in Substantial Conformity

California did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that the outcome was rated as substantially achieved for 59.2 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

An overall CFSR finding was that CDSS is not consistent in meeting the service needs of children and families. In addition, although State policy requires parent participation in the case-planning process, there were a substantial percentage of cases in which parents and children (when appropriate) were not involved in case planning. Finally, although caseworkers were found to visit children with

sufficient frequency, particularly children in foster care, caseworker visits with parents often were not sufficiently frequent or of sufficient quality to ensure children's safety and promote attainment of case goals.

Item 17. Needs and services of child, parents, foster parents

Item 17 was assigned an overall rating of Area Needing Improvement. Although the item was rated as a Strength in 65 percent of the cases, reviewers determined that in 35 percent of the cases CDSS had not been effective in addressing the service needs of children and parents. Although there were no cases in which reviewers found that CDSS had not addressed the needs of foster parents, several stakeholders commented that the agency's efforts to address foster parents' needs could be strengthened, particularly the need for respite services and in-home assistance to address a child's behavioral/mental and physical health issues.

Item 18. Child and family involvement in case planning

Item 18 was assigned an overall rating of Area Needing Improvement. Although the item was rated as a Strength in 53 percent of the cases, reviewers determined that in 47 percent of the cases, CDSS had not made diligent efforts to involve parents and/or children in the case planning process. This finding is not consistent with information reported in the Statewide Assessment that it is CDSS policy that parents be involved in the case planning. The Statewide Assessment also notes that CDSS promotes the philosophy that a strength-based approach to families is the most effective method of engaging parents in case planning.

Item 19. Worker visits with child

Item 19 was assigned an overall rating of Strength based on the finding that in 90 percent of the cases, reviewers determined that caseworker visits with children were of sufficient frequency and/or quality to monitor children's safety and well-being. This is consistent with information provided in the Statewide Assessment noting that the percentage of counties passing the compliance reviews on making monthly contacts with the child improved from 69 percent in State Fiscal Year (SFY) 1998/1999 to 90 percent in SFY 2001/2002.

Item 20. Worker visits with parents

This item was assigned an overall rating of Area Needing Improvement. Although the item was rated as a Strength in 82 percent of the applicable cases, reviewers determined that in 18 percent of applicable cases, the frequency and/or quality of caseworker visits with parents were not sufficient to promote the safety and well-being of the child or promote attainment of case goals.

Outcome WB2: Children receive appropriate services to meet their educational needs.

Status of Well-Being Outcome WB2 – Not in Substantial Conformity

California did not achieve substantial conformity with Well-Being Outcome 2 based on the finding that 81.1 percent of the cases reviewed were found to have substantially achieved this outcome. This is less than the 90 percent required for substantial conformity.

Item 21. Educational needs of the child.

Item 21 was assigned an overall rating of Area Needing Improvement. Although the item was rated as a Strength in 81 percent of the applicable cases, reviewers determined that in 19 percent of the applicable cases, CDSS had not made diligent efforts to meet the educational needs of children. The key concern identified was that in some cases children were not receiving services to address the needs identified through educational assessments.

Outcome WB3: Children receive adequate services to meet their physical and mental health needs.

Status of Well-Being Outcome 3 - Not in Substantial Conformity

California did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in 77.8 percent of the applicable cases, which is less than the 90 percent required for a determination of substantial conformity. The CFSR found that CDSS was highly effective in meeting children's physical health needs, but was less consistent in its efforts to address children's mental health needs, particularly for children in the in-home services cases. A key concern identified by stakeholders was that mental health services are not always of sufficient quality to meet children's mental health service needs.

Item 22. Physical health of the child

Item 22 was assigned an overall rating of Strength based on the finding that in 95 percent of the applicable cases, reviewers determined that CDSS was adequately addressing the health needs of children in foster care and in-home services cases. Overall, medical and dental services were accessible, services were provided, and documentation was thorough.

Item 23. Mental health of the child

Item 23 was assigned an overall rating of Area Needing Improvement. Although this item was rated as a Strength in 74 percent of the applicable cases, in 26 percent of the applicable cases, reviewers determined that CDSS had not made concerted efforts to address the mental health needs of children. Most of these cases involved children receiving services while remaining in their homes.

KEY FINDINGS RELATING TO SYSTEMIC FACTORS

IV. STATEWIDE INFORMATION SYSTEM

Status of Statewide Information System- In Substantial Conformity

California is in substantial conformity with the factor of Statewide Information System.

Item 24. State is operating a Statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

This item is rated as a Strength because information on the status, demographic characteristics, location, and goals for each child in foster care is retrievable from the State's automated child welfare system. The CFSR does not evaluate whether the State's system meets the Federal Statewide Automated Child Welfare Information System (SACWIS) functional requirements, and this report does not address those requirements.

V. CASE REVIEW SYSTEM

Status of Case Review System – Not in Substantial Conformity

California is not in substantial conformity with the systemic factor of Case Review System. Findings with regard to the specific items assessed for this factor are presented below.

Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.

Item 25 was rated as an Area Needing Improvement. Although State statutes require caseworkers to develop case plans and to involve parents in the development process, there is no statewide protocol in place to ensure parent and child participation in developing the case plan. In 47 percent of the applicable cases reviewed during the CFSR, parents (and children, when appropriate) were not involved in developing the case plan. According to many stakeholders and case reviewers, the most common approach to the case planning process is one in which the caseworker prepares the plan and then presents it to the family.

Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.

This item was rated as a Strength because the State has statutory and regulatory requirements for conducting 6-month periodic reviews and these reviews usually are completed in a timely manner. Stakeholders in one county noted that reviews are held more frequently than every 6 months for children who are younger than 3 years old.

Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

This item was assigned a rating of Strength because the State has statutory or regulatory requirements that permanency hearings be held every 12 months and these hearings usually are held in accordance with this requirement. Stakeholders noted that the permanency review process is accelerated for children who are younger than 3 years old.

Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.

This item was rated as an Area Needing Improvement. Although the State has statutory and regulatory requirements for terminating parental rights (TPR) for children in foster care for 15 of the most recent 22 months, when TPR is not sought, the agency is not consistent in documenting reasons for not filing for TPR. In addition, often the agency will not seek TPR, and/or the court will not grant TPR, unless an adoptive home for the child has been identified and the pre-adoptive home demonstrates a readiness to adopt. These practices are not in accordance with the provisions of the Adoption and Safe Families Act (ASFA).

Item 29. Provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.

This item was assigned a rating of Strength because the State provides a process for notifying foster, pre-adoptive, and relative caregivers of reviews and hearings and affords them opportunities to be heard in any review or hearing. Stakeholders interviewed during the on-site phase of the CFSR were in general agreement that foster parents and pre-adoptive parents receive notification of court hearings and administrative reviews. Some stakeholders expressed the opinion that foster parents actively participate in hearings and that judges are responsive to what foster parents have to say.

VI. QUALITY ASSURANCE SYSTEM

Status of Quality Assurance System – Not in Substantial Conformity

California is not in substantial conformity with the factor of Quality Assurance System. Findings with regard to the specific items assessed for this factor are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.

This item was rated as a Strength because the State has established standards to protect the safety and health of children and mechanisms to ensure adherence to the standards. Mechanisms to ensure that standards are implemented appropriately include the Foster Care Ombudsman Program, grievance procedures, complaint investigations, State fair hearings, licensing compliance system, and child welfare services compliance reviews. The State also certifies and monitors out-of-State facilities where California children are placed.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

This item was rated as an Area Needing Improvement. Although the State has a quality assurance (QA) system, the primary QA activity – the Division 31 compliance review system – assesses compliance with only six factors and does not assess the effectiveness and quality of services delivered. Stakeholders noted that the State is developing a new QA system (to be implemented in January 2004) that will be similar to the Federal CFSR process and will include outcome-focused reviews of randomly selected cases. Stakeholders also indicated that many counties have developed their own QA procedures and Los Angeles County stakeholders indicated that they have already begun implementing reviews that are similar to the Federal CFSR.

VII. TRAINING

Status of Training – Not in Substantial Conformity

California is not in substantial conformity with the systemic factor of Training. Findings with regard to the specific items assessed for this factor are presented below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.

Item 32 was rated as an Area Needing Improvement. Although the State makes available an array of training opportunities and some counties have implemented formal new-worker training, there is no statewide requirement for initial training for all staff that supports the goals and objectives of the Child and Family Services Plan.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

Item 33 was rated as an Area Needing Improvement. Although a variety of continuing education and training opportunities are made available to staff, there are no statewide requirements for on-going training of staff that support the goals and objectives of the Child and Family Services Plan.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.

Item 34 was rated as an Area Needing Improvement. Although the State makes training for foster and adoptive caregivers and group-care staff available, there is no uniform statewide training required for all caregivers. In addition, because training requirements for caregivers vary across the State, when foster parents trained in one county move to another county, the training they have received does not always meet the requirements of the new county.

VIII. SERVICE ARRAY

Status of Service Array- Not in Substantial Conformity

California is not in substantial conformity with the systemic factor of service array. Findings with regard to the specific items assessed for this factor are presented below.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.

Item 35 was rated as a Strength because the State has a broad array of services available that assess the strengths and needs of families to create a safe home environment so that children can remain at home, and/or achieve permanency if placed in foster care.

Stakeholders expressed positive views of the Kin Guardianship Assistance Payment (Kin-GAP) program, the Kinship Support Service Program (KSSP), and pilot Family Group Decision Making and Wraparound Services programs.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.

Item 36 was rated as an Area Needing Improvement. Although the State has a wide array of services, many of the services described under item 35 are not accessible to families in all political jurisdictions and, where services are available, there often are long waiting lists. In addition, stakeholders noted that there is a lack of necessary core services in all counties and, although there are exemplary pilot programs operating in various locations in the State, there is no effort underway to implement these programs statewide.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.

Item 37 was rated as an Area Needing Improvement. Although counties have the flexibility to develop and deliver services to meet unique community needs, stakeholders conveyed concern about a lack of individualized services for youth and Native American children. In addition, many of the cases reviewed had case plans that were generic and lacked an individualized approach to serving children and families.

IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

Status of Agency Responsiveness To The Community – In Substantial Conformity

California is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. Findings with regard to the specific items assessed for this factor are presented below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.

Item 38 was rated as a Strength because information provided in the Statewide Assessment and obtained through the onsite CFSR stakeholder interviews indicates that State and county child welfare agencies are highly responsive to input from the community in developing the goals and objectives of the CFSP and have developed councils, task forces, and other organizations to ensure that there are sufficient avenues for community input.

Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered.

Item 39 was rated as a Strength because county child welfare agencies and CDSS have established many collaboratives and those partners have begun to participate in the development of the State's Annual Progress and Services Report.

Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.

Item 40 was rated as an Area Needing Improvement. Although there are exemplary efforts at the county level with regard to coordinating services and benefits of other Federal or federally assisted programs serving the same population, there is a lack of State-level coordination of services and benefits, including coordination with Tribes and Tribal organizations.

X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention

California is not in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings with regard to the specific items assessed for this factor are presented below.

Item 41. The State has implemented standards for foster family homes and childcare institutions, which are reasonably in accord with recommended national standards.

Item 41 was rated as a Strength because the State has established standards for licensing and approving homes that are reasonably in accord with recommended national standards.

Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

Item 42 was rated as an Area Needing Improvement. Although CDSS has one common set of licensing/approval standards, there is evidence that, across counties, staff interpretation of the standards is not consistent. As a result, the same standards are not being applied to all foster family homes. In addition, all relative foster family homes have not been assessed and approved against the new standards.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.

Item 43 was rated as a Strength because stakeholders reported that criminal background checks for foster and adoptive placements are completed prior to placing a child with the family. California law also requires a check of the Child Abuse Central Index (CACI) maintained by the California Department of Justice and in many counties reviews of Department of Motor Vehicle records are conducted.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

Item 44 was rated as an Area Needing Improvement because the State does not have a statewide process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of the children in care. Stakeholders noted that there is a need to recruit more Native American and African American homes.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.

This item was rated as a Strength because there are processes in place for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements. California formed the Cross Jurisdictional Task Force to develop strategies to maintain compliance with the Adoption and Safe Families Act related to cross-jurisdictional adoptive placements. Stakeholders commenting on this issue noted that recruitment efforts often cross county lines and both internal and national adoption exchanges are used to find potential adoptive families.

Introduction

This document presents the findings of the Child and Family Services Review (CFSR) for the State of California. The CFSR was conducted the week of September 23, 2002. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the State child welfare agency – the California Department of Social Services (CDSS);
- The State Data Profile, prepared by the Children’s Bureau of the U.S. Department of Health and Human Services providing child welfare data for the year 2000;
- Reviews of 49 cases at three sites throughout the State (one case was dropped because it did not meet requirements for an eligible case); and
- Interviews or focus groups (conducted at all three sites and at the State-level) with stakeholders including children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, and attorneys.

The key characteristics of the 49 cases reviewed are the following:

- 25 cases were reviewed in Los Angeles County, 12 in San Mateo County, and 12 in Stanislaus County.
- All 49 cases had been open cases at some time during the period under review
- 25 cases were “foster care cases” (cases in which children were in the care and custody of the State child welfare agency and in an out-of-home placement at some time during the period under review), and 24 were “in-home services cases” (cases in which families received services from the child welfare agency while children remained in their homes and none of the children in the family was in out-of-home care during the period under review).
- In 14 cases, all children in the family were White; in 12 cases, all children in the family were African American; in 12 cases, all children in the family were Hispanic/Latino; in 3 cases, all children in the family were Asian/Pacific Islander; and in 8 cases, children were of two or more races.
- Of the 49 cases reviewed, the **primary** reason for the opening of a child welfare agency case was the following:
 - Neglect (not including medical neglect) – 16 cases (33%)
 - Physical abuse – 9 cases (18%)
 - Substance abuse by parents – 8 cases (16%)
 - Sexual abuse – 6 cases (12%)
 - Emotional maltreatment – 4 cases (8%)
 - Abandonment – 2 cases (4%)
 - Child in juvenile justice system – 2 cases (4%)
 - Mental/physical health of parent – 1 case (2%)

- Domestic violence in child's home – 1 case (2%)
- Of the 49 cases reviewed, the most frequently cited of **all** reasons for children coming to the attention of the child welfare agency included the following:
 - Neglect (not including medical neglect) – 30 cases (61%)
 - Physical abuse – 21 cases (43%)
 - Substance abuse by parents – 19 cases (39%)
 - Emotional maltreatment – 10 cases (20%)
 - Domestic violence in child's home – 10 cases (20%)
 - Sexual abuse – 7 cases (14%)
 - Abandonment – 6 cases (12%)
- In 13 (52%) of the 25 foster care cases, the children entered foster care prior to the period under review and either remained in foster care during the entire period under review or exited foster care to adoption or independent living.

The first section of the report presents the CFSR findings relevant to the State's performance in achieving specific outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting key findings, a discussion of the State's status with regard to the outcome, and a presentation and discussion of each item (indicator) assessed. Because Los Angeles County serves a very large population of children and families, findings pertaining to Los Angeles County may be presented and discussed in addition to the discussion of the overall State findings when relevant. The second section of the report provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.